

# **Legislator Talking Points**

**May 19, 2004**

## **Tort Reform**

- It is time to “Free the House.” A majority of House members want to end lawsuit abuse, but they are not being allowed to do that.
- There are already caps allowed in Mississippi’s tort claims system. If it is O.K. for state government to have caps, why isn’t it O.K. for small businesses to have caps?
- It is hard enough to get industries to locate in Mississippi – why should we let our civil justice system make it even harder?
- A majority of Mississippians want tort reform. A majority of the Senate want tort reform. A majority of the House want tort reform. Why then should tort reform be allowed to die just because of one personal injury trial lawyer who happens to chair a committee?

## **DHS**

- The Legislature had its chance to authorize the Department of Human Services and did not do it. Therefore, no legislators should complain if the Governor is willing to do the job they did not do.
- We already have two contentious issues to deal with during this Special Session. We should not add another

one – especially since it can be handled by executive order. Tort Reform and Voter ID cannot be handled by executive order.

- There will be no disruption of services to the needy if the Governor runs DHS by executive order.
- There is precedent for a Governor to run DHS by executive order. Governor Fordice did it in 1994 and then-Attorney General Mike Moore did not stop it. There are only two conclusions you can draw from that: either Mike Moore was derelict in his duty or it was done legally – and I don't think Mike Moore was a derelict AG.
- The Attorney General has the ability to authorize DHS for the purposes of federal funding at any time by letter. In other words, the AG can fix this situation at the cost of a postage stamp; it would cost the Legislature \$30,000 a day to do the same thing.

## **Budget**

- The Legislature made tough choices in the state's budget this Session without resorting to tax increases – that's leadership. Unlike in recent years, there are no planned deficits in this budget.
- We fully funded next year's teacher pay raise, and I am pleased that our schools will be able to spend the same amount of money as they did last year by not saving their recommended 5% next fiscal year. While our "95% Solution" was not adopted, a "97% Solution" was used, and I think that was a good compromise. We did not write education a bad check this year and that is good for our schools. They can plan accordingly and not have to worry so much about mid-year cuts.

- *<Transportation>*
- We turned the corner this Legislative Session in how state government operates during a budget crisis. We have moved from an emphasis on *spending* to an emphasis on *saving* and *streamlining*, living within our means.
- I think we will look back on the 2004 Regular Session and say it was very productive. Many parts of state government will change for the better – budget, workforce training efforts, Medicaid, Corrections, Public Safety, DHS, etc. This Session will be remembered as a time when we began our climb out of our budget hole and refocused our efforts on job creation.

## **Voter ID**

- Voter ID is not about intimidation at the polls; it's about integrity at the polls.
- Why would we want voting to have less security than renting a video?
- People can vote fraudulently by voting in place of a dead person who may still be on the voter rolls. That is why it makes no sense to exempt people over 65 from showing ID. The names of the elderly on the voter rolls are the most vulnerable for potential fraud.